

# **Exhibit 3**

*December 1993*

**I E E E  
STANDARDS  
BOARD**



**B Y L A W S**



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The Institute of Electrical and Electronics Engineers, Inc.  
345 East 47th Street, New York, NY 10017-2394 USA

*Approved by the IEEE Standards Board December 1993*

## **IEEE Standards Board Bylaws**



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The Institute of Electrical and Electronics Engineers, Inc.  
345 East 47th Street, New York, NY 10017-2394, USA

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# IEEE Standards Board Bylaws

## 1. IEEE standardization

### 1.1 Scope

The scope of IEEE standardization activities falls within the technological fields stated in the IEEE Constitution: the advancement of the theory and practice of electrical engineering, electronics, radio and the allied branches of engineering, and the related arts and sciences. This scope includes the defined scopes of the Societies<sup>1</sup> and Technical Committees. As a transnational organization, IEEE strives to generate standards publications that will have the broadest potential international acceptance.

The IEEE Standards Board has overall responsibility for all standards development and approval for which the IEEE is ultimately responsible, and sole responsibility for appointment to and participation in, and cooperation with, other organizations on all standards matters.

When appropriate, IEEE will cooperate with standardizing groups throughout the world in the preparation of standards involving an area of interest within its scope. Approval of a standard by the IEEE signifies that the IEEE believes the document to be consistent with good engineering practice and that it represents a consensus of engineers from all aspects of the involved industries, governments, and public interests.

### 1.2 Authority

The IEEE Standards Board is established under Section 310 of the Bylaws of the Institute of Electrical and Electronics Engineers. It is represented on the IEEE Board of Directors and other major Boards as specified in applicable provisions of the Bylaws of the Institute. Its organization beyond that specified in the IEEE Bylaws is governed by these bylaws, as supplemented by the *IEEE Standards Operations Manual*.

The IEEE Standards Board is responsible on an Institute-wide basis for matters regarding units and standards in the fields of electrical engineering, electronics, radio, and the allied branches of engineering or related arts and sciences, and is in particular required to

- a) Encourage, coordinate, and supervise the development of IEEE standards
- b) Review all proposed IEEE standards to determine whether the proposed standards conform to the requirements established by the IEEE Standards Board and whether consensus has been achieved for approval of the proposed standards

<sup>1</sup>The use of the term "Societies" in these bylaws encompasses the IEEE Societies, Groups, and Councils that operate under the IEEE Technical Activities Board.

- c) Encourage, coordinate, and supervise IEEE participation and cooperation with other organizations (including governmental bodies) on standards matters

### **1.3 IEEE standards**

IEEE develops and publishes standards in categories that include but are not limited to definitions and terminology; methods of measurement and test; systems; products; technology; ratings structures; temperature limits and application guides; recommended practices; and safety. Rating and dimensional information included in an IEEE standard should result from technical considerations. Rating information developed by other competent organizations may be included provided it is consistent with good engineering practice.

The approval and publication of an IEEE standard implies that the document represents a consensus of all parties who have participated in its development and review. Since every attempt is made to involve all interests in the activity, it can be presumed that the document represents a consensus of all interests concerned with the scope of the standard. Consensus is established when, in the judgment of the IEEE Standards Board, substantial agreement has been reached by directly and materially affected interest categories. Substantial agreement means much more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that a concerted effort be made toward their resolution.

### **1.4 Purpose of IEEE standardization**

IEEE standards provide a common ground for communication among engineers and scientists in some specific area of electrotechnology. They also provide criteria for the acceptable performance of equipment or materials pertinent to the field of electrotechnology.

The purpose of the review by the IEEE Standards Board is to ensure that IEEE standards represent a consensus of interests substantially concerned with or potentially affected by these standards and that proper procedures have been carried out in formulation of the standards.

An IEEE standard gives an authoritative reference to the state-of-the-art that is kept up to date through review at least every five years by the Sponsor responsible for its preparation.

### **1.5 Conformance of products or systems to IEEE standards**

No member or group of members of the Institute is authorized:

- a) To act for the Institute in product testing or in certification of products or systems to comply with IEEE standards, or
- b) To offer any opinion in the name of the Institute on the conformance of products or systems to the requirements of IEEE standards for their intended use and safe operation.

IEEE standards may contain testing procedures useful in determining whether products or systems are in compliance with the standards. Compliance in itself does not necessarily imply quality or guarantee proper use. Where IEEE standards are used as the basis of examination and/or testing of products or systems by laboratories or other agencies in the process of determining their suitability for their intended use and safe operation, the IEEE assumes no responsibility for the use or interpretation of its standards or the adequacy of the testing or certification. Use of IEEE standards numbers to convey conformance with a corresponding IEEE standard shall constitute a declaration of conformance solely by the party using the number, and such party shall indicate that the Institute has not certified, endorsed, or approved any such product.<sup>2</sup>

<sup>2</sup>For information on the use of the IEEE logo, see the *IEEE Policies and Procedures Manual*.

## **2. Authority (in hierarchical order)**

New York State Not-for-Profit Law

IEEE Statement of Incorporation

*IEEE Constitution*

*IEEE Bylaws*

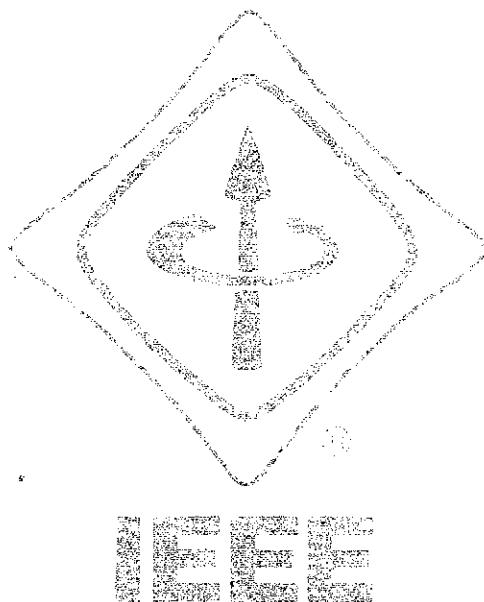
*IEEE Standards Board Bylaws*

*IEEE Policy and Procedures Manual*

IEEE Board of Directors Resolutions

*IEEE Standards Operations Manual*

*Robert's Rules of Order*



### 3. IEEE Standards Board organization

#### 3.1 Membership

The IEEE Standards Board shall consist of no fewer than 18 nor more than 26 voting members, who shall be of Member or higher grade of the Institute, including a chair, vice-chair, and the most recent past chair available to serve. In addition, the IEEE Standards Board may include nonvoting participants as described below:

- a) Liaison representatives of IEEE Boards, Societies, and Technical Committees, and representatives of other organizations [except the representative of the IEEE Technical Activities Board (TAB), who is a voting member] in order to provide coordination and communication between the IEEE Standards Board and the IEEE Societies and Technical Committees as well as other organizations involved in standards activities.
- b) Member emeriti elected for life by the Standards Board and ratified by the IEEE Board of Directors, based on long years of prior distinguished service on the IEEE Standards Board and its committees.

##### 3.1.1 Officers

- a) *Chair*: The Chair of the IEEE Standards Board shall be the IEEE Vice-President of Standards Activities, who is elected for a term of one year by the IEEE Assembly. The Chair is eligible for reelection.
- b) *Vice-Chair*: The Vice-Chair of the IEEE Standards Board shall be elected by the IEEE Standards Board from among the voting members for a term of one year. The Vice-Chair is eligible for reelection.
- c) *Past Chair*: The most recent Past Chair of the IEEE Standards Board available to serve shall be an officer of the IEEE Standards Board.
- d) *Secretary*: The Staff Director of Standards, a member of the IEEE staff, is the Secretary of the IEEE Standards Board, as designated by the IEEE General Manager.

##### 3.1.2 Liaison representatives

The following persons serve as nonvoting (unless already voting members) liaison representatives to the IEEE Standards Board and its standing committees to assist in coordinating standardization work with their respective organizations:

- a) The chair of each IEEE Standards Coordinating Committee (SCC) appointed by the IEEE Standards Board.
- b) Representatives of IEEE Societies and Councils (and their Technical Committees), appointed by the Presidents or Chairs of these bodies. Sponsor Committees may also designate liaison representatives where committee standards activity indicates the need for representation.
- c) Representatives of organizations outside IEEE, designated by these organizations.
- d) Liaison representatives designated by other Standing Boards.
- e) Such other liaison representatives as the IEEE Standards Board may authorize.

The responsibilities of the liaison representatives are given in the *IEEE Standards Operations Manual*.

##### 3.1.3 Tenure

Members of the IEEE Standards Board may serve up to three consecutive one-year terms, except that chairs of standing committees or members of the Administrative Committee may be appointed to additional terms to provide experience and continuity. Voting members of the IEEE Standards Board shall be appointed by the IEEE Board of Directors.

### **| 3.1.4 Advisory Committee to the IEEE Vice-President of Standards Activities**

#### **3.1.4.1 Scope**

The Advisory Committee shall provide advice and guidance to the IEEE Vice-President of Standards Activities to ensure continuity of the IEEE Standards Program. It shall have overview responsibility for strategic planning, the IEEE Standards Department operating budget, and other areas as appropriate.

#### **3.1.4.2 Organization**

The committee shall consist of the immediate five past Chairs of the IEEE Standards Board willing to serve and the current Vice-Chair of the IEEE Standards Board. The current Chair of the IEEE Standards Board and the Staff Director shall serve *ex-officio*. The most immediate Past Chair of the IEEE Standards Board willing to serve shall be the Chair of the Advisory Committee.

### **3.2 Standing committees of the IEEE Standards Board**

#### **3.2.1 Procedures Committee (ProCom)**

##### **3.2.1.1 Scope**

This committee shall be responsible for recommending to the IEEE Standards Board improvements and changes in procedures and manuals to promote efficient discharge of responsibilities by the IEEE Standards Board, its committees, and other committees of the Institute engaged in standards activities.

##### **3.2.1.2 Organization**

This committee shall have up to six members, including a chair. The chair and other members shall be members of the IEEE Standards Board and shall be appointed for a term of one year by the Chair of the IEEE Standards Board.

#### **3.2.2 New Standards Committee (NesCom)**

##### **3.2.2.1 Scope**

This committee shall be responsible for ensuring that proposed standards projects are within the scope and purpose of the IEEE, that standards projects are assigned to the proper Society or other organizational body, and that interested parties are appropriately represented in the development of IEEE standards. The committee shall examine Project Authorization Requests (PARs) and make recommendations to the IEEE Standards Board regarding their approval.

##### **3.2.2.2 Organization**

This committee shall be comprised of no less than 10 IEEE members, at least 4 of whom, including the chair, shall be voting members of the IEEE Standards Board. The chair and other members of the committee shall be appointed for a term of one year by the Chair of the IEEE Standards Board.

#### **3.2.3 Standards Review Committee (RevCom)**

##### **3.2.3.1 Scope**

This committee shall be responsible for reviewing proposals for the approval of new and revised standards and for the reaffirmation or withdrawal of existing standards to ensure that the proposals represent a consen-

sus of the parties having a significant interest in the subjects covered. The committee shall routinely examine submittals to ensure that all applicable requirements of the *IEEE Standards Operations Manual* have been met.

### **3.2.3.2 Organization**

This committee shall be comprised of at least 12 members, at least 3 of whom, including the chair, shall be voting members of the IEEE Standards Board. The chair and the other members of RevCom shall be appointed by the Chair of the IEEE Standards Board for a term of one year. In making nominations, the nominating committee shall give consideration to attaining membership from various IEEE Technical Divisions.

IEEE Standards Board members not appointed to RevCom may serve as *ex officio* members without voting privileges.

### **3.2.4 Awards and Recognition Committee (ArCom)**

#### **3.2.4.1 Scope**

This committee shall be responsible for the administration of all awards presented by the IEEE Standards Board. It shall act on behalf of the IEEE Standards Board to approve nominations for IEEE standards awards. It shall submit nominations for standards awards sponsored by other organizations.

#### **3.2.4.2 Organization**

This committee shall be comprised of up to five members, including a chair, three of whom shall be voting members of the IEEE Standards Board. The chair and the other members shall be appointed for a term of one year by the Chair of the IEEE Standards Board.

### **3.2.5 New Opportunities in Standards Committee (NosCom)**

#### **3.2.5.1 Scope**

This committee shall be responsible for identifying and exploring avenues for enhancing IEEE leadership in areas of new technological growth and for recommending to the IEEE Standards Board actions to achieve this purpose.

#### **3.2.5.2 Organization**

This committee shall be comprised of up to 14 voting members of the IEEE, at least half of whom, including the chair, shall be voting members of the IEEE Standards Board. The chair and the other members shall be appointed for a term of one year by the Chair of the IEEE Standards Board. Consideration shall be given to attaining membership from various IEEE Societies, especially those experiencing new technological growth. All IEEE Standards Board members not appointed to NosCom may serve as *ex officio* members without voting privileges.

### **3.2.6 Procedures Audit Committee (AudCom)**

#### **3.2.6.1 Scope**

This committee shall provide an oversight of the standards-development activities of the societies, their standards-developing entities, and Standards Coordinating Committees of the IEEE Standards Board.

### **3.2.6.2 Organization**

This committee shall consist of at least five members. Five of the members, including the chair, shall be current or former members of the IEEE Standards Board. All members shall be appointed for a term of two years by the Chair of the IEEE Standards Board.

### **3.2.7 Seminars Committee (SemCom)**

#### **3.2.7.1 Scope**

This committee shall provide oversight for the operation of the seminar program by providing technical expertise and support. The committee shall review and propose new seminars to ensure that the topics covered are appropriate.

#### **3.2.7.2 Organization**

This committee shall consist of a minimum of three members, including a chair, and shall include the IEEE Standards Department Seminar Manager. The chair and members shall be appointed for a term of one year by the Chair of the IEEE Standards Board. Each IEEE Society may be represented by one member.

### **3.2.8 International Committee (IntCom)**

#### **3.2.8.1 Scope**

This committee shall be responsible for coordinating IEEE Standards activities with non-IEEE standards organizations.

#### **3.2.8.2 Organization**

This committee shall be comprised of no more than 10 members. The chair shall be a voting member of the IEEE Standards Board. The chair and the other members shall be appointed for a term of one year by the Chair of the IEEE Standards Board. At least 50% of the members shall either be current or past members of the IEEE Standards Board.

### **3.2.9 Administrative Committee (AdCom)**

The Administrative Committee shall act for the IEEE Standards Board between meetings and make recommendations to the IEEE Standards Board for its disposition at regular meetings. AdCom shall be comprised of the officers of the IEEE Standards Board and the chairs of each standing committee of the IEEE Standards Board, appointed for a term of one year by the chair. The Chair of the IEEE Standards Board shall be the chair of AdCom.

## **3.3 Other committees and bodies**

### **3.3.1 Standards Coordinating Committees (SCCs)**

Proposed standards are normally developed in the technical committees of the IEEE Societies. However, there are occasions when the scope of an activity is too broad to be encompassed in a single Society, or a Society may find itself not in a position to carry out the necessary work. The IEEE Standards Board shall establish its own standards-developing committees, namely Standards Coordinating Committees (SCCs), to perform this function when necessary, and report to the IEEE Standards Board.

The officers (chair, vice-chair, etc.) of an SCC shall be appointed by the IEEE Standards Board Chair each year, and may serve consecutive terms. The chair shall be a member of the IEEE. The members of SCCs and their subcommittees are appointed by

- a) The SCC Chair,
- b) An IEEE Society, or
- c) The IEEE Standards Board.

Membership in the IEEE is encouraged.

The chair of an SCC shall submit a written report each year to the IEEE Standards Board for approval. This report should contain the scope, activities, and meeting schedules, along with the membership roster. The roster shall indicate the IEEE membership status and society affiliation of each member. The SCC chair may also be asked to give an oral report to the IEEE Standards Board every three to four years.

Interested Societies of the IEEE may designate members to an SCC who then function as official representatives of the Society. The IEEE Standards Board may designate representatives of outside organizations as additional members.

The SCC may act as Sponsor for individual standards projects. If the SCC serves as a Sponsor, it shall meet all the requirements of such a body (including clause 5 of the *IEEE Standards Operations Manual*).

With the approval of the IEEE Standards Board, an SCC may establish subcommittees as necessary to perform its function.

Each member of an SCC who is an official representative of a Society technical committee, or outside organization may have a single designated alternate to act on his or her behalf in his or her absence. Alternates for other members shall not be permitted.

## **4. IEEE Standards Board procedures and responsibilities**

### **4.1 Transaction of business**

Regular meetings of the IEEE Standards Board shall be held quarterly, in accordance with a schedule approved at the first meeting of each year. Special meetings may be called, when deemed necessary, by the Chair or at the request of five members.

A quorum shall consist of a majority of the voting members. Approval of proposed IEEE standards, or proposed withdrawal of such standards, shall require affirmative votes by at least 75% of members voting. Except as otherwise specified in these bylaws, meetings of the IEEE Standards Board shall be run in accordance with the parliamentary procedures of *Robert's Rules of Order*.

### **4.2 Standards-development process**

#### **4.2.1 Membership of IEEE standards-development committees**

In general, participation in IEEE standards development is on an individual basis. An individual member of the IEEE is a participant who is expected to act based on his or her individual qualifications, belief, and experience. In addition, a spokesperson for the consensus of an organization, committee, segment of industry, or similar group may also participate. Non-IEEE members who are recognized experts in their field may also participate.

##### **4.2.1.1 Openness**

Openness is defined as the quality of being not restricted to a particular type or category of participants. All meetings involving standards shall be open to all interested parties.

##### **4.2.2 Sponsor**

A sponsor shall be a group of individuals who have a professed interest in the development of standards (either by direct participation or by the process of review) in technological areas that fall under the general scope of interest to the IEEE.

All IEEE standards development shall be based on projects that have been approved by the IEEE Standards Board, and each project shall be the responsibility of a Sponsor. Sponsors of IEEE standards projects are committees that are responsible for the development and coordination of the standards project and the maintenance of the standard after approval of the standard by the IEEE Standards Board.

The Sponsor shall be:

- a) A Technical Committee within an IEEE Society
- b) A Standards Committee or Standards Coordinating Committee of an IEEE Society
- c) A Standards Coordinating Committee established by the IEEE Standards Board
- d) A Standards Subcommittee organized by or reporting to one of the above
- e) An Accredited Standards Committee
- f) Other organizations as approved by the IEEE Standards Board

#### **4.2.2.1 Creation of Sponsors**

Sponsors formed under rule (d) shall be officially recognized by the IEEE Standards Board only after a 75% approval by the creating committee. Once formed, Sponsors automatically assume duties and receive balloting rights according to subclause 5.1.1 of the *IEEE Standards Operations Manual*.

#### **4.2.2.2 Sponsor responsibility/accountability**

The sponsor accepts responsibility for oversight of any of its assigned standards, including overseeing coordination, balloting, and making annual activity reports to the IEEE Standards Board.

When the breadth of interest in a standard is great enough so that more than one technical committee wishes to have a role in its sponsorship, a joint committee of the two or more interested committees may be formed to sponsor the standard jointly. That joint committee, whose membership shall be determined by mutual agreement, shall assume all of the duties of the Sponsor (see subclause 5.1.2 of the *IEEE Standards Operations Manual*).

#### **4.2.2.3 Sponsor balloting group**

IEEE Technical Committees, whose membership is normally constituted by IEEE members, may function as the sponsor balloting group. In any case, the balloting group shall consist of members and/or affiliate members of the IEEE. In addition, the Institute Bylaws provide, with the approval of the IEEE Standards Board, that designated representatives of organizations outside the IEEE and invited experts who are non-IEEE members may hold membership on IEEE committees and subcommittees developing standards and shall be entitled to vote on matters relating to those standards.

An organization is an entity that represents broad-based membership interest. This includes not only standards-development organizations but also other types of organizations such as a government agency (federal, state, or local), user group, or trade association.

It should be noted that individual firms are not considered to be organizations.

#### **4.2.3 Project authorization**

In order to avoid duplication, provide for effective management of overall efforts, assure proper coordination, and expedite approval of final documents, all requests for an initiation of a standards project, in the form of a PAR, shall be approved by the IEEE Standards Board. The IEEE Standards Board has assigned to NesCom the preliminary review of PARs and the responsibility for recommending final approval to the Board.

Sponsors are required to submit a PAR at the earliest opportunity when a standards project is contemplated or work is started. The Secretary of the IEEE Standards Board shall submit PARs to NesCom for approval in accordance with its procedures. Unless specifically authorized by the IEEE Standards Board, no proposed standard or revision shall be considered by RevCom without prior approval of the project by the IEEE Standards Board. The lifetime of a PAR shall be four years.

For standards and their supplements that may be submitted to international standards-developing organizations, the project chair should supply a coordination plan to the IEEE Standards Board (for the information of IntCom) during the draft development of the standard that will illustrate the plan they will follow to coordinate the necessary multiple approvals.

#### **4.2.4 Final review and approval to publish**

All IEEE Standards shall be approved by the IEEE Standards Board prior to publication. The IEEE Standards Board has assigned to RevCom the review of standards submittals and the responsibility for recommending final approval to the IEEE Standards Board. Approval requires a consensus of the IEEE Standards Board that the requirements of these procedures have been satisfied and, specifically, that the final results of the ballot and statements submitted by other organizations who participated in the development of the standard indicate that consensus has been achieved and unresolved negative ballots have been considered together with reasons why the comments could not be resolved.

#### **4.2.5 Notification of action on standards**

Following each meeting of the IEEE Standards Board, the IEEE Standards Department shall issue a statement, available to all interested parties, which shall detail the actions taken at the last meeting of the IEEE Standards Board on approval, reaffirmation, and withdrawal of standards documents and authorization of new standards projects. This may be in the form of the minutes of the IEEE Standards Board meeting.

### **4.3 Review cycles**

All IEEE standards shall be updated as often as new information is available or in accordance with the established cycle set by the IEEE Standards Board but no later than five years from the date of publication. When an IEEE standard has been in effect for four years, the Secretary of the IEEE Standards Board shall notify the standards liaison representative of the Sponsor that the standard must be updated within the next year. The Sponsor has the option of:

- a) Reaffirmation
- b) Revision
- c) Withdrawal

The entire document shall be reviewed; supplements cannot be substituted for the five-year review.

### **4.4 Appeals**

The provision for appeals is important for the protection of directly and materially affected interests and is required as a part of due process. Following the approval, disapproval, or withdrawal of an IEEE standard by the IEEE Standards Board or one of its Accredited Standards Committees, any materially affected party who objects to the contents of the document or who objects to the procedures followed in its review may file an appeal.

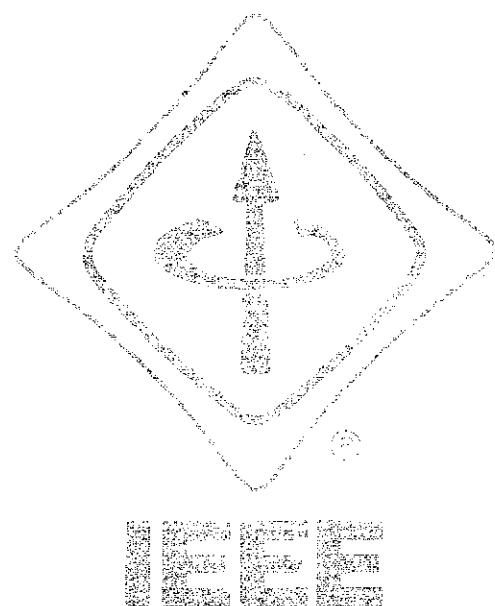
Appeals may have either a procedural or a technical basis. However, all appeals shall be considered by the IEEE Standards Board only after appeals within the organization of the sponsor have been exhausted.

### **4.5 Interpretations**

While it is always the intent of standards-developing committees to use language that is so clear that it is unnecessary to explain or amplify the original intent of the committee, occasionally questions arise regarding the meaning of portions of standards as they relate to specific applications (see also 1.5).

Questions relating to such interpretations require review and evaluation by a balance of committee interests. No single officer or member of an IEEE Sponsor or subgroup thereof shall provide a written or verbal opinion concerning any portion of the text of an IEEE standards document or an American National Standard developed under IEEE secretariat, unless that opinion has first been subjected to consideration by an inter-

interpretations subgroup that represents all interested parties on the committee. The actions to be taken shall be as specified in the *IEEE Standards Operations Manual*.



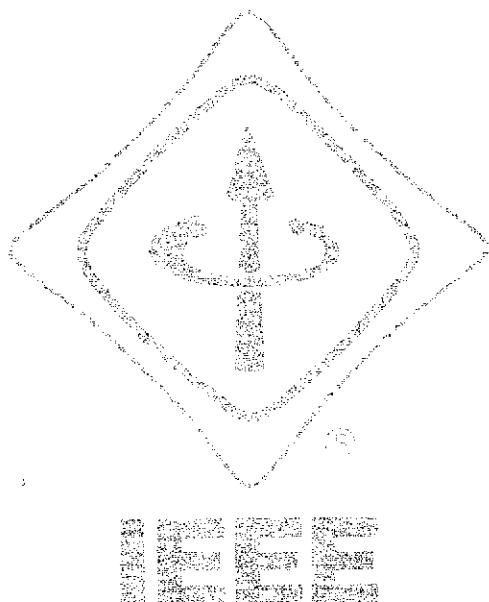
## 5. Patents

IEEE standards may include patented technology if there is no ~~other reasonable way~~ of achieving the objectives of the standard, if it is justified for technical reasons, and if the patent holder agrees to nondiscriminatory licensing at reasonable rates.

### 5.1 Disclaimer

The following notice shall appear in all IEEE Standards:

"IEEE standards documents may involve the use of patented technology. Their approval by the Institute of Electrical and Electronics Engineers, Inc. does not mean that using such technology for the purpose of conforming to such standards is authorized by the patent owner. It is the obligation of the user of such technology to obtain all necessary permissions."



## 6. Modifications to the *IEEE Standards Board Bylaws*

Proposed modifications to these bylaws may be submitted to the IEEE Standards Board Procedures Committee (ProCom) for their consideration. Proposed modifications that have been agreed to by ProCom shall be submitted to the IEEE Standards Board for final approval.

Modifications to these bylaws and the reasons therefore shall be mailed to all members of the IEEE Standards Board at least 30 days before the IEEE Standards Board meeting where the vote on these modifications shall be taken. Two-thirds of the voting Board members present at the meeting shall be required to approve any modifications.

These bylaws shall be reviewed by legal counsel.

### 6.1 Interpretations of the *IEEE Standards Board Bylaws*

Requests for interpretations of this document shall be directed to the IEEE Standards Board. The Secretary of the Board shall respond to the request within 30 days of receipt. Such response shall indicate either an interpretation or a specified time limit when such an interpretation will be forthcoming. The time limit shall be no longer than is reasonable to allow consideration of and recommendations on the issue by, for example, the Procedures Committee of the IEEE Standards Board.

